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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 CALVIN MINES,

11 Plaintiff,

12 v.

13 SPECIAL COMMITMENT CENTER.

14 Defendant.

CASE NO. C11-5758-BHS-JRC

REPORT AND  
RECOMMENDATION TO DISMISS

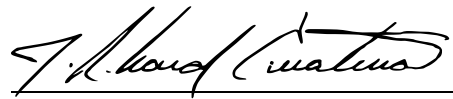
NOTED FOR: November 18, 2011

15 This 42 U.S.C. §1983 civil rights action has been referred to the undersigned  
16 Magistrate Judge pursuant to 28 U.S.C. §§ 636 (b)(1)(A) and (B) and Local Magistrate  
17 Judge Rules MJR 1, MJR 3, and MJR 4. Plaintiff asks to dismiss this action prior to the  
18 granting of in forma pauperis status or service of the complaint. Pursuant to Fed. R. Civ.  
19 P. 41 (a) (1) (A) plaintiff has an absolute right to dismiss his action at this stage of the  
20 proceedings. The Court recommends this action be dismissed without prejudice on  
21 plaintiff's motion.  
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23 Pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), the parties shall have  
24 fourteen (14) days from service of this Report to file written objections. See also Fed. R.

1 Civ. P. 6. Failure to file objections will result in a waiver of de novo review by the  
2 District Court Judge. See, 28 U.S.C. 636 (b)(1)(C). Accommodating the time limit  
3 imposed by Rule 72(b), the clerk is directed to set the matter for consideration on  
4 November 18, 2011 as noted in the caption.

5 Dated this 11th day of October, 2011.

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9 J. Richard Creatura  
10 United States Magistrate Judge  
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